

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:20-cv-00585-wmc**

Nelson, Todd v. North Central States Regional Council of
Carpenters Pension Fund
Assigned to: District Judge William M. Conley
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 29:1132 E.R.I.S.A. - Employee Benefits

Date Filed: 06/25/2020
Date Terminated: 10/18/2021
Jury Demand: None
Nature of Suit: 791 Labor: E.R.I.S.A.
Jurisdiction: Federal Question

Plaintiff

Todd D. Nelson

represented by **Danielle M. Schroder**
Hawks Quindel, S.C.
P.O. Box 2155
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608-257-0040
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ATTORNEY TO BE NOTICED

V.

Defendant

**North Central States Regional Council
of Carpenters Pension Fund**

represented by **Yingtao Ho**
The Previant Law Firm, S.C.
310 W. Wisconsin Avenue, Ste. 100MW
Milwaukee, WI 53203
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Fax: 414-271-6308
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

**North Central States Regional Council
of Carpenters Pension Fund**

represented by **Yingtao Ho**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Todd D. Nelson

represented by **Danielle M. Schroder**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/25/2020	1	COMPLAINT against All Defendants. (Filing fee \$ 400 receipt number 0758-2703428.), filed by All Plaintiffs. (Attachments: # 1 Summons, # 2 JS-44 Civil Cover Sheet) (Schroder, Danielle) (Entered: 06/25/2020)
06/25/2020	2	Corporate Disclosure Statement by Plaintiff Todd D Nelson. (Schroder, Danielle) (Entered: 06/25/2020)
06/26/2020		Case randomly assigned to District Judge William M. Conley and Magistrate Judge Stephen L. Crocker. (rks) (Entered: 06/26/2020)
06/26/2020		Standard attachments for Judge William M. Conley required to be served on all parties with summons or waiver of service: NORTC , Corporate Disclosure Statement . (rks) (Entered: 06/26/2020)
06/26/2020	3	Summons Issued as to North Central States Regional Council of Carpenters Pension Fund. (rks) (Entered: 06/26/2020)
07/08/2020	4	Summons Returned Executed. North Central States Regional Council of Carpenters Pension Fund served on 7/1/2020, answer due 7/22/2020. (Schroder, Danielle) (Entered: 07/08/2020)
07/21/2020	5	Notice of Appearance filed by Yingtao Ho for Defendant North Central States Regional Council of Carpenters Pension Fund. (Ho, Yingtao) (Entered: 07/21/2020)
07/21/2020	6	ANSWER, COUNTERCLAIM against Todd D. Nelson by Defendants North Central States Regional Council of Carpenters Pension Fund. (Ho, Yingtao) Modified on 7/22/2020 (rks). (Entered: 07/21/2020)
07/22/2020		Set Telephone Pretrial or Status Conference: Telephone Pretrial Conference set for 8/21/2020 at 01:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [Standing Order Governing Preliminary Pretrial Conference attached] (rks) (Entered: 07/22/2020)
08/07/2020	7	Reply to Counterclaim by Plaintiff Todd D. Nelson. (Schroder, Danielle) (Entered: 08/07/2020)
08/12/2020	8	Joint Report of Rule 26(f) Planning Meeting (Schroder, Danielle) (Entered: 08/12/2020)
08/26/2020		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 8/21/2020 [:10] (cak) (Entered: 08/26/2020)
08/26/2020	9	Pretrial Conference Order - Preliminary Pretrial Packet in cases assigned to District Judge William M. Conley attached. Dispositive Motions due 1/29/2021. Final Pretrial Submissions due 9/23/2021. Court Trial set for 10/21/2021 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 8/26/2020. (rks) (Entered: 08/26/2020)

09/25/2020	10	Joint Stipulation for Confidentiality and Protective Order by Plaintiff Todd D. Nelson. (Attachments: # 1 Text of Proposed Order) (Schroder, Danielle) (Entered: 09/25/2020)
09/25/2020	11	** TEXT ONLY ORDER ** The parties' confidentiality stipulation and protective order is accepted and entered as the court's order with this edit: in Paragraph (A)(1) on page 1, the phrase "the person in good faith believes" is deleted. This makes the definition of confidential material objective, as required by circuit law. Signed by Magistrate Judge Stephen L. Crocker on 9/25/2020. (rks) (Entered: 09/25/2020)
11/05/2020	12	Disregard. (Sealed Document) Modified on 11/6/2020. (lak) (Entered: 11/05/2020)
11/05/2020	13	Disregard. (Sealed Document) Modified on 11/6/2020. (lak) (Entered: 11/05/2020)
11/06/2020	14	Administrative Record from Wisconsin Carpenters Pension Fund. (Sealed Document) (Ho, Yingtao) (Entered: 11/06/2020)
11/06/2020	15	Administrative Record from Wisconsin Carpenters Pension Fund. (Sealed Document) (Ho, Yingtao) (Entered: 11/06/2020)
01/19/2021	16	Stipulation to Supplement Administrative Record by Counter Claimant North Central States Regional Council of Carpenters Pension Fund, Defendant North Central States Regional Council of Carpenters Pension Fund. (Attachments: # 1 Nelson Medical Records) (Ho, Yingtao) Modified on 1/20/2021. (lak) (Entered: 01/19/2021)
01/19/2021	17	Administrative Record from Defendant. (Sealed Document) (Ho, Yingtao) Modified on 1/20/2021. (lak) (Entered: 01/19/2021)
01/29/2021	18	Motion for Judgment on the Administrative Record by Defendant North Central States Regional Council of Carpenters Pension Fund. Response due 2/5/2021. (Ho, Yingtao) (Entered: 01/29/2021)
01/29/2021	19	Brief in Support of 18 Motion for Miscellaneous Relief <i>Judgment on the Administrative Record</i> by Defendant North Central States Regional Council of Carpenters Pension Fund (Ho, Yingtao) (Entered: 01/29/2021)
01/29/2021		Set/Reset Briefing Deadlines as to 18 Motion for Judgment on the Administrative Record. Brief in Opposition due 2/19/2021. Brief in Reply due 3/1/2021. (rks) (Entered: 01/29/2021)
01/29/2021	20	MOTION FOR SUMMARY JUDGMENT by Plaintiff Todd D. Nelson. Brief in Opposition due 2/19/2021. Brief in Reply due 3/1/2021. (Schroder, Danielle) (Entered: 01/29/2021)
01/29/2021	21	Proposed Findings of Fact filed by Plaintiff Todd D. Nelson re: 20 Motion for Summary Judgment (Schroder, Danielle) (Entered: 01/29/2021)
01/29/2021	22	Brief in Support of 20 Motion for Summary Judgment by Plaintiff Todd D. Nelson (Schroder, Danielle) (Entered: 01/29/2021)
01/29/2021	23	Disregard. Modified on 1/29/2021. (lak) (Entered: 01/29/2021)
01/29/2021	24	Declaration of Jessa L. Victor filed by Plaintiff Todd D. Nelson re: 20 Motion for Summary Judgment (Attachments: # 1 Exhibit 1 - 2020.10.07 Email from J. Victor to Y. Ho,

		# 2 Exhibit 2 - 2020.10.07 Email from Y. Ho to J. Victor, # 3 Exhibit 3 - Summary Plan Description) (Schroder, Danielle) (Entered: 01/29/2021)
02/19/2021	25	Brief in Opposition by Defendant North Central States Regional Council of Carpenters Pension Fund re: 20 Motion for Summary Judgment filed by Todd D. Nelson (Ho, Yingtao) (Entered: 02/19/2021)
02/19/2021	26	Response to Proposed Findings of Fact filed by Defendant North Central States Regional Council of Carpenters Pension Fund re: 20 Motion for Summary Judgment <i>and Additional Proposed Findings of Fact</i> (Ho, Yingtao) (Entered: 02/19/2021)
02/19/2021	27	Brief in Opposition by Plaintiff Todd D. Nelson re: 18 Motion for Miscellaneous Relief filed by North Central States Regional Council of Carpenters Pension Fund (Schroder, Danielle) (Entered: 02/19/2021)
03/01/2021	28	Disregard. See dkt. 30 . Modified on 3/1/2021 (jls). (Entered: 03/01/2021)
03/01/2021	29	Brief in Reply by Plaintiff Todd D. Nelson in Support of 20 Motion for Summary Judgment (Schroder, Danielle) (Entered: 03/01/2021)
03/01/2021	30	Brief in Reply by Defendant North Central States Regional Council of Carpenters Pension Fund in Support of 18 Motion for Miscellaneous Relief <i>Motion for Judgment on Administrative Record</i> (Ho, Yingtao) (Entered: 03/01/2021)
03/01/2021	31	Reply in Support of Proposed Findings of Fact filed by Plaintiff Todd D. Nelson re: 20 Motion for Summary Judgment (Schroder, Danielle) (Entered: 03/01/2021)
03/01/2021	32	Amended Brief in Reply by Defendant North Central States Regional Council of Carpenters Pension Fund in Support of 18 Motion for Miscellaneous Relief (Ho, Yingtao) (Entered: 03/01/2021)
09/16/2021	33	ORDER granting 16 Stipulation to Supplement Administrative Record; granting in part and denying in part 18 Motion for Judgment on the Administrative Record; granting 20 Motion for Summary Judgment. Signed by District Judge William M. Conley on 9/16/2021. (rks) (Entered: 09/16/2021)
09/24/2021	34	Motion for Reconsideration by Counter Claimant North Central States Regional Council of Carpenters Pension Fund, Defendant North Central States Regional Council of Carpenters Pension Fund. Response due 10/1/2021. (Ho, Yingtao) (Entered: 09/24/2021)
09/24/2021	35	Brief in Support of 34 Motion for Reconsideration by Counter Claimant North Central States Regional Council of Carpenters Pension Fund, Defendant North Central States Regional Council of Carpenters Pension Fund (Ho, Yingtao) (Entered: 09/24/2021)
10/01/2021	36	Brief in Opposition by Plaintiff Todd D. Nelson re: 34 Motion for Reconsideration filed by North Central States Regional Council of Carpenters Pension Fund (Schroder, Danielle) (Entered: 10/01/2021)
10/13/2021	37	ORDER denying 34 Motion for Reconsideration. Signed by District Judge William M. Conley on 10/13/2021. (rks) (Entered: 10/13/2021)

10/18/2021	38	JUDGMENT entered in favor of Plaintiff Todd D. Nelson, Defendant North Central States Regional Council of Carpenters Pension Fund dismissing the case. (WMC /PAO). (rks) (Entered: 10/18/2021)
10/29/2021	1 39	Motion for Attorney Fees <i>and Costs</i> by Plaintiff Todd D. Nelson. Brief in Opposition due 11/19/2021. Brief in Reply due 11/29/2021. (Schroder, Danielle) (Entered: 10/29/2021)
10/29/2021	40	Brief in Support of 39 Motion for Attorney Fees <i>and Costs</i> by Plaintiff Todd D. Nelson (Schroder, Danielle) (Entered: 10/29/2021)
10/29/2021	41	Declaration of Danielle M. Schroder filed by Plaintiff Todd D. Nelson re: 39 Motion for Attorney Fees (Attachments: # 1 Exhibit A - Itemization of Costs, # 2 Exhibit B - Itemization of Fees) (Schroder, Danielle) (Entered: 10/29/2021)
10/29/2021	42	Declaration of Jessa L. Victor filed by Plaintiff Todd D. Nelson re: 39 Motion for Attorney Fees (Schroder, Danielle) (Entered: 10/29/2021)
10/29/2021	43	Declaration of Jeff Scott Olson filed by Plaintiff Todd D. Nelson re: 39 Motion for Attorney Fees (Attachments: # 1 Exhibit A - Curriculum Vitae) (Schroder, Danielle) (Entered: 10/29/2021)
10/29/2021	44	Declaration of Mark D. De Bofsky filed by Plaintiff Todd D. Nelson re: 39 Motion for Attorney Fees (Schroder, Danielle) (Entered: 10/29/2021)
11/17/2021	45	NOTICE OF APPEAL by Counter Claimant North Central States Regional Council of Carpenters Pension Fund, Defendant North Central States Regional Council of Carpenters Pension Fund as to 33 Order, 37 Order, 38 Judgment. Filing fee of \$ 505, receipt number 0758-2966870 paid. No Docketing Statement filed. (Ho, Yingtao) Modified on 11/17/2021. Attorneys for Plaintiffs. (lak) (Entered: 11/17/2021)
11/17/2021	46	Appeal Information Packet. (lak) (Entered: 11/17/2021)